

REMARKS / ARGUMENTS

In response to the Office Action mailed February 26, 2008, the Examiner's claim rejections have been considered. Applicants respectfully traverse all rejections regarding all pending claims and earnestly solicit allowance of these claims.

Claims 24 and 30 have been amended. Applicants thank the Examiner for acknowledging that claim 30 is allowable.

1. Claim Rejections – Double Patenting

The Examiner has provisionally rejected claims 24 and 28-29 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 5-7 and 19-29 of copending U.S. Patent Application No. 09/419,748.

In response, Applicants respectfully submit a terminal disclaimer in compliance with 37 C.F.R. §1.321(c) to overcome the double patenting rejection. Accordingly, Applicants respectfully request reconsideration and allowance of claims 24, 28, and 29.

CONCLUSION

Applicants have made an earnest and *bona fide* effort to place this case in condition for allowance. Reconsideration and allowance of claims 24, 28, and 29 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

The Commissioner is hereby authorized to charge the fees indicated in the Fee Transmittal, any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17, or to credit any overpayments, to Deposit Account No. 194293, Deposit Account Name STEPTOE & JOHNSON LLP.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 734-3200. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,

Date: August 18, 2008 /Adam C. Ellsworth/
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